

4 of 4

## **EXHIBITS PLAINTIFF'S REPLY TO WP 479**

### **Plaintiff's Statement # 12**

**EXHIBIT #44** Letter confirmed Service Repair for Printer on April 17, 2023 at The Monterey

**EXHIBIT #45.** Will Seippel Declaration filed 06/29/2020 in ECF 61- and in Pl. Evid. 000214 -000216

### **Plaintiff's Statement # 13**

**EXHIBIT #46** WorthPoint's Evid. Pl. Jan.4, 2017 email Re 1972 post WP000132, 000133, 000134

**EXHIBIT#47** Pl. Internet Expert Witness Mr. O'Leary's Deposition Pages 100 to 107

### **Plaintiff's Statement # 16**

**EXHIBIT # 47 A** eBay phone call Transcript page 8- 13 and page 19.

**EXHIBIT #48 A** Pl. Evid. 000163 Photo "A. Trombetta" in WorthPoint webpage  
**B** Plaintiff's 1972 childhood signature Pl. Evid. 000260

### **Plaintiff's Statement #17**

**EXHIBIT #49 A** Plaintiff Evid. 000316 1972 childhood signature on notebook cover  
**B** Estate Auctions Inc. photos red pencil signature misspelling Pl. name  
Plaintiff Evid. 000142 000143 and Plaintiff Evid. 000165

### **Plaintiff's Statement #18**

**EXHIBIT # 50 A** Pl.Evid 001006 and #50 B Greg Watkins Feb. 3 2016 phone transcript.

**EXHIBIT #51** Plaintiff's Feb. 20, 2016 email to Will Seippel in a Meta Data Print out  
Pl. Evid. 000366 000366A, 000366B, 000366C, 000366D

**EXHIBIT #52** Estate Auctions Inc. EAI000073 to EAI000079

**PLACEHOLDER**

Gregory Watkins Webmaster  
WorthPoint.com.m4a

Plaintiff's Evidence Expert Dis.000999

Ex A 50(1)

## Transcript of February 3, 2016 Phone Call

**Phone Call between Artist Annamarie Trombetta (Now Plaintiff)  
And Copyright Registered Agent for WorthPoint Corporation  
Employee Gregory Watkins ( Attached Copyright For Proof)**

**Date of Phone Call February 3, 2016 Phone Call**

00;00;04;08 - 00;00;11;23

Speaker Gregory Watkins

Hi

**Speaker Annamarie Trombetta Plaintiff**

Yes. Good morning. Gregory, this is Annamarie Trombetta. Ah..You gave me a call yesterday afternoon.

00;00;12;18 - 00;00;13;10

Speaker Gregory Watkins

Right. How are you doing?

00;00;13;13 - 00;00;14;27

**Speaker Annamarie Trombetta Plaintiff**

I'm doing OK. How about you?

00;00;15;25 - 00;00;21;25

Speaker Gregory Watkins

I'm good. So, you have an issue with one of the listings on our site.

00;00;22;04 - 00;00;29;09

**Speaker Annamarie Trombetta Plaintiff**

Mm hmm. I emailed the particular link to you a few times.

Speaker Gregory Watkins

I have it.

**Speaker Annamarie Trombetta Plaintiff**

Yeah.

E1 #50 (2)

Plaintiff's Evidence Expert Dis.001000

00;00;31;06 - 00;00;32;10

Speaker Gregory Watkins

So you're saying this is not your painting ?

00;00;32;21 - 00;00;40;24

Speaker Annamarie Trombetta Plaintiff

Well, I'm asking who the, who is the person that posted that as well?  
Because that's vital to me.

00;00;42;26 - 00;00;46;24

Speaker Gregory Watkins

When we get data and in this case, it comes from eBay

00;00;47;04 - 00;00;47;12

Speaker Annamarie Trombetta Plaintiff

Mm hmm.

00;00;47;29 - 00;01;00;23

Speaker Gregory Watkins

We only get the page, with the information on it that you see. The person who sold that painting ... it is an eBay seller, but none of that information is transferred to us.

00;01;01;23 - 00;01;10;13

Speaker Annamarie Trombetta Plaintiff

And none of that information is in the data of eBay. They keep telling me that they don't have that information. So...

00;01;11;05 - 00;01;33;14

Speaker Gregory Watkins

They(eBay) don't save it.  
They only hang onto it for about, used to be a month. now I think it's about three months. And um now, and then what happened is it's... it's... eBay gives it to a middleman. We buy all sorts of art and antique collectibles data from the middleman..

00;01;33;24 - 00;01;36;11

Plaintiff's Evidence Expert Dis.001001

Ex #50(3)

Speaker Annamarie Trombetta Plaintiff

Mm hmm. Well, who's the middleman then?

00;01;37;12 - 00;01;51;01

Speaker Gregory Watkins

That would be to Terapeak

Speaker Annamarie Trombetta Plaintiff

Terapeak ??

Speaker Gregory Watkins

Terapeak. But they don't... eBay only sends the information that's on the page like this, right. So everything else that's connected to it is.. disappears.

00;01;51;15 - 00;02;12;02

Speaker Annamarie Trombetta Plaintiff

OK, so a logical question is, if this piece of artwork is- was sold in 2012 and eBay doesn't keep any of the data longer than three months, then how did this appear onto my website uh.. uh.. uh.. onto your website. now ? I haven't seen it ummm ...

Speaker Gregory Watkins

00;02;12;15 - 00;02;17;28

Oh.. Ok, the.. the information this is on... That is what the original eBay listing looked like...

Speaker Annamarie Trombetta Plaintiff

Again but... it ...it..

00;02;17;28 - 00;02;30;02

Speaker Gregory Watkins

In other words, and the ah..and the photograph is what the eBay seller put up.

00;02;30;21 - 00;03;07;

Speaker Annamarie Trombetta Plaintiff

So you're saying that this piece from 2012 has all of a sudden surfaced in 2016 at the same time concurrently, you're telling me that eBay doesn't keep data, uh.. more than six months. So again, just a logical question would be umm.. basically... How ..how could this happen if eBay



Plaintiff's Evidence Expert Dis.001002

EX #50 (4)

doesn't keep information and you're putting up information about a piece of artwork that was sold from four years ago.

00;03;08;03 - 00;03;34;05

Speaker Gregory Watkins

Ok ..They separate out the information from the listing, which is what we have... and the information about the seller and the business side of that. So we don't get any of the back end ... who sold it, who bought it .. any of the information about where we shipped. We only get a copy of what the listing looked like and what the final price was.

00;03;34;15 - 00;03;47;05

Speaker Annamarie Trombetta Plaintiff

So can you give me ah.. the listing from the source that you received this information from ?

00;03;48;00 - 00;03;49;25

Speaker Gregory Watkins

Well.. You mean the actual metadata ?

Speaker Annamarie Trombetta Plaintiff

Yes

00;03;50;20 - 00;04;04;11

Speaker Gregory Watkins

I can .. I can ..ask our I-T guy, but the ah.. I really don't know if there's any more than just the words that you see on the page and the photograph.

00;04;04;26 - 00;04;21;05

Speaker Annamarie Trombetta Plaintiff

Well, all I can tell you is that there is a photograph that says "A. Trombetta" and there is a biography listing that is so detailed it could no ...it could belong to no one other than myself. That's how detailed it is.

00;04;21;05 - - 00;04;34;28

Speaker Gregory Watkins

Right. I..I .I as I looked at it, I thought that who sold it must have done a Google search on you, saw the name and decided that the picture

Plaintiff's Evidence Expert Dis.001003

EX# 50 (5)

was you... and listed ..ah.. the bio stuff on your website or somebody's website.

00;04;35;05 -00;04;53;01

Speaker Annamarie Trombetta Plaintiff

No my website.

Because it's.. it's.. a direct. It's almost like a..ah. It's not a direct replica, but it's derivative, specifically derivative. So they're equating me with this painting. I would have been nine years old when it was painted.

00;04;54;08 - 00;04;58;16

Speaker Gregory Watkins (GREGORY WATKINS LAUGHS WHEN HE HEARD I WAS NINE)

Okay. Well, I can do this for you. I can take the whole list that make it disappear.

00;04;59;02 - 00;05;19;04

Speaker Annamarie Trombetta Plaintiff

Well, that would that would be it ah. This is the objective for me contacting you. The other objective is to try and find out somehow who sold this or who twisted this information. To associate me with this painting.

00;05;21;07 - 00;05;27;14

Speaker Gregory Watkins

Well, well I would.. I would say that it would be the seller here. either

Speaker Annamarie Trombetta Plaintiff

yeah but if it

00;05;26;28 - 00;05;37;05

Speaker Gregory Watkins

They were either confused about the date of your birthday, with the date of the paint.. or Didn't care and just wanted to sell it and put it out there knowing that it was wrong.

00;05;37;08 - 00;05;46;06

Speaker Annamarie Trombetta Plaintiff

Correct. And that makes it a fraudulent piece of artwork, and that is, ah you know, that.. that's illegal.

EX # 50(6)

Plaintiff's Evidence Expert Dis.001004

00;05;46;14 - 00;05;54;03

Speaker Gregory Watkins

Yes. The problem that I think you are going to face is.. ah.. I'll ask my IT guy, if there's any metadata attached to the page, but I don't think so.

00;05;57;03 - 00;06;23;01 CONTINUED Speaker Gregory Watkins

The best that I can do is to down the listing so it disappears. It will it won't umm.. it won't .. be on our site anymore. And if the Google listing... It is going to take a while for it to work all the way through Google, if somebody clicks on that Google link ..they'll just get an error Page.. 404 error page... The page that you are looking for doesn't exit.

00;06;26;11 - 00;06;28;08 CONTINUED Speaker Gregory Watkins

And eventually Google will clear that out when they re-spider the site.

00;06;28;18 - 00;06;33;05

Speaker Annamarie Trombetta Plaintiff

Mm hmm. Do I need to contact Google ?

00;06;35;04 - 00;06;40;13

Speaker Gregory Watkins

They don't even have a phone number on their site.

Speaker Annamarie Trombetta Plaintiff

Yeah, well, that's the prob.

Speaker Gregory Watkins

You could try that.

00;06;40;13 - 00;06;58;27

Speaker Annamarie Trombetta Plaintiff

That's the problem with, you know, initially what your company as well as umm.. eBay. And I need to ask you this, How long, to your knowledge, do you know that this ah.. listing has been up there?



Plaintiff's Evidence Expert Dis.001005

Ex #50(7)

00;07;00;03 - 00;07;06;08

Speaker Gregory Watkins

Well, if it sold in 2012. We usually get the data about six months..  
there's a six month lag ..

00;07;06;28 - 00;07;20;09

Speaker Annamarie Trombetta Plaintiff

There's a six month lag. OK. That's why it's important for me to umm...  
to get the name of the seller, because they did it once. They could do it  
again.

00;07;21;09 - 7;22;07

Speaker Gregory Watkins

Well, yes, they can.

Speaker Annamarie Trombetta Plaintiff

Yes, they can.

Speaker Gregory Watkins

00;07;24;19 - 00;07;35;08

The problem that.. that.. we have with the information that we have, is  
that we never got any of the information about the sellers.

00;07;37;17 - 00;07;49;04

All the, you know.. um..All the 300 million pages that we have of these  
sales documents ..ah.. none of them have any connection to the sale, the  
seller, as far as eBay.

00;07;49;10 - 00;07;55;19

Speaker Annamarie Trombetta Plaintiff

But isn't that information? Aren't you responsible for that information?  
That you're putting on your site ?

00;07;56;20 - 00;08;09;02

Speaker Gregory Watkins

Well, we're not we're not given that. We don't have.. we are.. all we  
are trying to do is show what an item has sold for. And if there's a  
problem with the item. We will take it down.

00;08;09;13 - 00;08;09;24

Speaker Annamarie Trombetta Plaintiff

Plaintiff's Evidence Expert Dis.001006

E#50 (8)

Okay. But..

00;08;09;25 - 00;08;17;17

Speaker Gregory Watkins

We can't vet every page that we.. that we are given to post.

00;08;18;13 - 00;08;34;10

Speaker Annamarie Trombetta Plaintiff

But isn't there some kind of responsibility that the company has to not vet .. but validate, the validity or authenticity of, in my case in particular, ah .. pieces of artwork. Because..

00;08;35;26 - 00;08;55;13

Speaker Gregory Watkins

Well.. we..we have to rely on .. the ah.. auction houses and the online retailers who sell the items. And then we get their data. We have to rely on them making sure that it's correct.

Speaker Annamarie Trombetta Plaintiff

Well, again.

00;08;55;29 - 00;09;24;11

Speaker Gregory Watkins

EBay has several you know, has a whole department that goes to listings on subcategories of items that are often knockoffs or or.. illegal copies. And they will flag those when when they see them. But with a like individual piece of artwork that has your name on it, that there is nothing that would make a red flag show up in that department.

00;09;25;04 - 00;09;34;23

So the best that I can give you the email address of our CEO.

Speaker Annamarie Trombetta Plaintiff

Mm hmm.

00;09;34;23 - 00;09;47;29

Speaker Gregory Watkins

And that he can talk with you about it. But otherwise, the best that I can do right now is take that listing down. And I got an email already drafted to the IT department to have them take it down, I just want to wait to talk to you and find out exactly what you want to do.

Ex 50 (9)

Plaintiff's Evidence Expert Dis.001007

00;09;48;26 - 00;09;57;24

Speaker Annamarie Trombetta Plaintiff

Ah..I would like your take.. taken down, of course, immediately, simply because it is.. it's fraudulent. I did not do that painting.

00;10;00;09 - 00;10;03;04

Speaker Gregory Watkins

Ok.

Speaker Annamarie Trombetta Plaintiff

So the email of the CEO is ..?

00;10;04;03 - 00;10;16;27

Speaker Gregory Watkins

Will W - I -L- L at worth point dot com. His name is Will Seippel. He is the founder.

Speaker Annamarie Trombetta Plaintiff

Ok

00;10;17;16 - 00;10;26;05

Speaker Gregory Watkins

And, if you email him today... I know that he's in ah.. he's in Las Vegas for a conference for the next couple of days.

Speaker Annamarie Trombetta Plaintiff

Mmm humm

00;10;26;05 - 00;10;33;29

Speaker Gregory Watkins

So if it takes him a couple of days to get to you..ah..but he does reply to all his emails.

00;10;34;02 - 00;10;44;23

Speaker Annamarie Trombetta Plaintiff

Understood. Ok well. I appreciate that, but it did take a while. I've

EX-#50  
(10)

Plaintiff's Evidence Expert Dis.001008

called Anita a few times about this, umm.. but I do appreciate the follow up. Ah ..

00;10;45;04 - - 00;11;17;14

Speaker Gregory Watkins

Yeah, well, you know, we are we're a small company. For as much data as we have out there we're are literally a company of eight people.

00;10;52;08 - 00;10;59;06

And she sent me ah several .. ah several e-mails from different people who had different concerns.. And I thought that I had replied to yours already, and I actually replied to two people at the same time. It wasn't Anita's fault, it got hung up in my inbox, and I missed it. So I guess you called back and Anita pinged me yesterday and to say that I needed to call you back.

00;11;18;01 - 00;11;25;13

Speaker Annamarie Trombetta Plaintiff

Well, I do have one last question. How long has the information been up there, to your knowledge?

00;11;26;01 - 00;11;29;19

Speaker Gregory Watkins

Two thousand thirteen ...2013 But I can ask the IT guy if there's a date attached to it.

00;11;29;25 - 00;11;31;23

Speaker Annamarie Trombetta Plaintiff

Yeah, that I would definitely need.

00;11;32;15 - 00;11;50;08

Speaker Gregory Watkins

I don't get to see the back end of the information so ah, if there is a tag on it that tells when it was posted, I could ask him that before they take it down. And then if I get it, I can send it back to you. But you know what, Let me get your email address.

Speaker Annamarie Trombetta Plaintiff

Okay.

00;11;50;09 - 00;12;14;08



Plaintiff's Evidence Expert Dis.001009

EXH 50 (11)

Speaker Gregory Watkins

Alright.

Speaker Annamarie Trombetta Plaintiff

It's my last name. T R O M -as in Mary, B as in boy ,E, T as in Tom, T as in toy. A as an apple, A as in art. So there's two T's together, two A's .. R as in red , T. Trombettaart at Yahoo Dot com.

00;12;14;08 - 00;12;24;08

Speaker Gregory Watkins

OK, trombetta.

Speaker Annamarie Trombetta Plaintiff

Art.. T ..r..o.. m as in Mary ..b as in boy. dot com So, yeah, you know..like to..

00;12;24;10 - 00;12;54;18

Speaker Gregory Watkins

Let me read it back to you.. t r o m b e t t a.. I send off an email to the IT guy and ask him to take down the links and while he's doing it to look and see if there's a date that shows when we posted it.

Speaker Annamarie Trombetta Plaintiff

Mm hmm.

Speaker Gregory Watkins

And I will email you that date. And then beyond that, you can talk with Will or you can email Will and he can explain, probably much better than I can, how we get the data and why we don't have that anything.

00;12;54;19 - 00;13;25;14

Speaker Annamarie Trombetta Plaintiff

Yeah, why? Why? I can't know the name of the seller. I mean, basically, I think as a company even though you're small, you do have a responsibility as far as the quality, the character and the accuracy. And also the authenticity. This is a fraudulent piece of art that's attribul.. attribula.. attributed to me. Along with that, it does say that the piece is damaged and that the work is reminiscent of Andre Khron's work.

00;13;25;14 - 00;13;30;06 CONTINUED Speaker Annamarie Trombetta Plaintiff

And I look that up and you definitely have pieces of his on your site.

EX # 50 R

Plaintiff's Evidence Expert Dis.001010

00;13;33;17 - 00;13;53;19

So the description is, I don't know, but, you know, I don't.. I don't it's it did not when I went on to your site, it did not..ah.. show.. It said there were 12 photographs, but I didn't find any photographs. I just saw a photograph of my signature Well.. fraudulent signature..

00;13;53;29 - 00;14;11;13

Speaker Gregory Watkins

Ya, I don't understand that. Usually when we have um.. a listing it's got..ah.. three or four photographs. Especially when somebody's selling a piece of art, you would have the main, you know, a picture what the art looks like. And so that is odd that there are no other pictures.

00;14;11;19 - - 00;15;15;14

Speaker Annamarie Trombetta Plaintiff

Well, if you'er the website guy, then and you control ah..what goes on or on that site, then please do, you know, look, look at it. Let me know if you find pictures or don't find pictures. I signed on for the membership very quickly. And then I but I did see that the price was \$181.50 and it's a relatively large piece. That actually undermines the, the value of my artwork. So it's,.. it's dangerous for me as a professional artist to have this listing.

00;14;48;07 - 00;15;39;01

CONTINUED Speaker Annamarie Trombetta Plaintiff

No offense to Worth point, but it is devaluing in contemporary work. I mean this, this is been attributed also, there's a link, there's several links to other sites on your website, link to Marilyn Monroe photographs, and also... that's how it came to my attention initially. Along with that, there's an artist named Thomas Kincaid.

00;15;15;14 - 00;15;34;10

And basically this person is a mall art person. And no offense to mall art, but it is .. umm.. it's not in my level of field as far as category of class is concerned. That's not who I want to be attributed with.

00;15;39;27 - 00;16;14;12

CONTINUED Speaker Annamarie Trombetta Plaintiff

Umm .. It would be.. Well, let's take something as simple as chocolate. You know, Godiva chocolate versus ah.. ni..versus Hershey's chocolate versus something that you find at the \$0.99..stare.. store that sells like chocolate flavored. It's.. it's the various grades. I'm putting it on a very simple level.

Plaintiff's Evidence Expert Dis.001011

Ex # 50 Page B

CONTINUED Speaker Annamarie Trombetta Plaintiff

00;16;08;13 - - 00;16;58;16

You know there's cars too. There's a used car and this painting would be a similar to a used car. There's a Lexus and then there's a Mercedes Benz. Then there's you know, a Bentley on and then there's a Ferrari and the fine art world that I'm in.. is I'm trying to ascribe myself to the Ferrari- Bentley category. If it was a print, if it was a reproduction, you know, like a Giclee, I could understand that. But an original painting. It's.. it is dangerous.

00;16;59;01 - 00;17;05;17

CONTINUED Speaker Annamarie Trombetta Plaintiff

And to have it on there all that time, that's the reason why I'm asking you, can you find out how long it's been up there?

00;17;06;29 - 00;17;21;23

Speaker Gregory Watkins

OK, well, I've, I've, added to that, the information you requested in the email and I'm ready to send it to the IT-guys to take down the page and find out with on the back end of that file, if anything.

00;17;21;23 - 00;17;26;10

Speaker Annamarie Trombetta Plaintiff

That would be most helpful. Thank you, Gregory.

Speaker Gregory Watkins

Ok. You're welcome.

Speaker Annamarie Trombetta Plaintiff

Have a good day.

Speaker Gregory Watkins

You too.

Speaker Annamarie Trombetta Plaintiff

Bye-by

END



https://apis.mail.yahoo.com/ws/v3/mailboxes/@.id=VjN-wNyUtlGq-IqyaOw0dPDGQshezn6hTEyYYbzuUfxgK-8lfPj5XrFm6kPKHxkFSkrv4QS5...

Date: Sat, 20 Feb 2016 15:24:20 +0000 (UTC)  
 From: Annamarie Trombetta <trombettaart@yahoo.com>  
 Reply-To: Annamarie Trombetta <trombettaart@yahoo.com>  
 To: "will@worthpoint.com" <will@worthpoint.com>  
 Cc: Worthpoint Support <support@worthpoint.com>  
 Message-ID: <1789304145.217902.1455981861074.JavaMail.yahoo@mail.yahoo.com>  
 Subject: Artist Annamarie Trombetta----Fraudulent Artwork--and links to  
 Fraudulent Artwork  
 MIME-Version: 1.0  
 Content-Type: multipart/mixed;  
 boundary="-----\_Part\_217901\_1027004312.1455981861073  
 References: <1789304145.217902.1455981861074.JavaMail.yahoo.ref@mail.yahoo.com>  
 Content-Length: 4716321

Email META DATA PAGE 1

Plaintiff's  
 Deposition  
 Response

Fraudulent Artwork and links to Fraudulent Artwork

-----\_Part\_217901\_1027004312.1455981861073  
 Content-Type: multipart/alternative;  
 boundary="-----\_Part\_217900\_1844622739.1455981861065"  
 -----\_Part\_217900\_1844622739.1455981861065  
 Content-Type: text/plain; charset=UTF-8  
 Content-Transfer-Encoding: quoted-printable

EXHIBIT  
 #51

Dear Mr. Seippel and Mr. Watkins,  
 Allow me to introduce myself to you Mr. Seippel. =C2=A0 I am =C2=A0professional artist Annamarie Trombetta. =C2=A0 I as well as other people found a listing for a painting entitled 1972 Original Oil Painting Man with Red Umbrella signed Annamarie Trombetta. =C2=A0 This is not one of my paintings. =C2=A0 There is a photo of a signature A. Trombetta =C2=A0 with the eBay logo and Copyright symbol written "Copyrighted work licensed by Worthpoint " =C2=A0 with your company logo in yellow next to it. =C2=A0 This is not my signature. =C2=A0 Please see attachments. =C2=A0  
 =C2=A0 On February 3, 2016 =C2=A0 I spoke with Mr. Gregory Watkins. =C2=A0 Mr. Watkins also stated that you were at a conference in Las Vegas. =C2=A0 I asked Mr. Watkins certain =C2=A0 questions regarding the artwork falsely attributed to me. =C2=A0 I =C2=A0 requested that he e-mail me his answers regarding these questions that I had about this artwork =C2=A0 on Tuesday February 3, 2016. =C2=A0 Today is February 20, 2016 =C2=A0 and =C2=A0 nothing has been forwarded =C2=A0 to me. =C2=A0 I have contacted eBay several times =C2=A0 prior to contacting your company.  
 =C2=A0 eBay stated that they do not have the name of the seller =C2=A0 nor the name of the buyer or the listing for this painting. =C2=A0 Ebay expressed several times to me that I need to contact Worthpoint since the listing is on your site..

=C2=A0 There are still listing for Worthpoint.com under my name. =C2=A0 Under google search for the painting "1972 Original Oil Painting Man with Red Umbrella signed Annamarie Trombetta there is a link entitled Marilyn Monroe 1988 Vintage =C2=A0 Michael Ochs Archive and also Thomas Kinkade . =C2=A0 Both =C2=A0 Worthpoint sites list 1972 Original Oil Painting Man with Red Umbrella signed Annamarie Trombetta which is why they are surfacing under my name and under 1972 Original Oil Painting Man with Red Umbrella signed Annamarie Trombetta. =C2=A0 =C2=A0  
 When I spoke to Mr. Watkins on the phone on February 2, 2016 =C2=A0 I asked Mr. Watkins =C2=A0 the following questions and asked him to forward me the information which he has not done. =C2=A0 I have contacted you in order to have these questions answered please:  
 1) HOW did =C2=A0 your company obtained this information -listing for =C2=A0 " 1972 Original Oil Painting Man with Red Umbrella signed Annamarie Trombetta "? 2) Can you forward me the name of the seller? 3) How long has this link been on your site?? =C2=A0 The date of the sale is from December 1, 2012. =C2=A0 I will assume from December 1, 2012 and Mr. Watkins agreed during our phone conversation on February 3, 2016. 4) Who owns this painting?? =C2=A0 The description =C2=A0 is a damaged painting. =C2=A0 It also states that there is a signature in RED on the =C2=A0 back of the stretcher. =C2=A0 This signa=

Plaintiff000366



<https://apis.mail.yahoo.com/ws/v3/mailboxes/@.id==VjN-wNyUt1Gq-IqyaOw0dPDGQshezn6hTEyYYbzuUfxgK-8IfPj5XrFm6kPKHxkFskrv4QS5...>

ture =C2=A0is outside of the photo of a signature A.Trombetta. The painting= is dated 1972--Do you know how=C2=A0old I would have been at the time the = painting has been dated?5)Who provided you with the photo of the signature = =C2=A0A.Trombetta? =C2=A0Again =C2=A0 I assure it is not my signature.6) Th= e Worthpoint description of this painting =C2=A0states that there are are 1= 2 photos. Below is the text that is on the page for this painting. =C2=A0 W= here did you get my biography?? It is so specific it is definitely mine.7) = =C2=A0I did sign up for the Free Trial in order to obtain the information b= elow. =C2=A0If there is a purchase price of \$181. 50 duly documented and li= sted =C2=A0there was a =C2=A0financial transaction and there should be a re= ceipt of payment for this item. =C2=A0May I have this information as well? Kindly forward any information that you have regarding this painting .

=C2=A0Attached is a printout from February =C2=A02016 which lists items and= links that are on Worthpoint.com =C2=A0These items are listed with my unre= lated personal and professional links. =C2=A0 I have no association to the = Worthpoint.com company---data base nor the artwork that is associated with = these link. =C2=A0 Please review. =C2=A0 I am requesting that you kindly re= move your links since they have no relation to my personal and professional= credentials.

Sincerely, Annamarie Trombetta

| 1972 ORIGINAL OIL PAINTING MAN WITH RED UMBRELLA SIGNED ANNAMARIE TROMBET= TA YQZ =20

- SOLD FOR:
- \$181.50
- ITEM CATEGORY:
- 20
- SOURCE:
- eBay
- SOLD DATE:
- Dec 01,2012
- CHANNEL:
- Online Auction

Plaintiff's  
Deposition  
Response

EXHIBIT

Fraudulent Artwork and links to Fraudulent Artwork

Email META DATA PAGE 2

#51

This is by Annamarie Trombette. It is signed on the bottom, but on the back= it has written in red on the stretcher, Annamarie Trombetta "Gifted" 1977, = "Painted" 1972. To our eyes it looks like it is after the style of Andre K= ohn. It is quite large being approx. 48 1/2" tall and 17 1/2" wide. We are = calling it shabby chic condition as it has a tear in the canvas, about 5/8"= long just to the left of the man's knees, but still such a great painting.= For those not familiar with Trombetta, here is information about her from = off AskArt as they got it from her website: Annamarie Trombetta (1963 - ) L= ived/Active: New York The nature of an artist=E2=80=99s life, creativity an= d growth may be synonymously expressed in the image of an archetypal tree. = Beginning with the earthly descendent roots the artist like the tree branch= es out into its surrounding environmental and celestial world. Both ascend = and descend, widening their girth of consciousness while producing visual i= magery, weathering each season of change. Thus, I believe it is the nature = of the artist and of nature itself to regenerate and manifest. All of the i= magery in this catalog was either created en plein air or from the subject = directly. My journey to becoming an artist began many years ago. The consan= guineous roots of my Italian family tree provided me with an innate constit= ution for my artistic profession. When I was a tiny seed of contemplative t= hought, my artistic nature began to sprout interest while gazing up at the = ceiling paintings in a neighborhood church named Regina Pacis, meaning Quee= n of Peace. The church located in Brooklyn, NY features ceiling paintings, = sculptures, marble interiors, and incorporates architectural elements for t= he fa=C3=A7ade and the belfry that are of Italianate design. Before the age= of three I was able to surmise that the church in the ceiling painting was= indeed the church I was in. The visual stimulation was a form of education= . It fostered my sense of perception which became my strongest mode for acq= uiring knowledge. As the years unfurled, my family moved to Staten Island. = At this time it was a scenic field of luminosity, lush vegetation and a har=

Plaintiff000366A



https://apis.mail.yahoo.com/ws/v3/mailboxes/@.id=VjN-wNyUt1Gq-IqyaOw0dPDGQshezn6hTEyYYbzuUfxgK-8IfPj5XrFm6kPKHxkFSkrv4QS5...

bor view complete with sail boats and small yachts. A few years after we moved my tree of life was in jeopardy of losing a limb. What appeared to be a swollen leg was indeed a cancerous tumor. It was an almost fatal or perhaps even a fated occurrence in my life. The struggle to survive the experience was lightened by my imagination and by my artistic ability to create. I seriously thought I would go into medicine but the posters and paintings in the hospital and doctor=E2=80=99s office held my attention more intensely. I began my formal training at The Brooklyn Museum School of Art while I was in high school. The exposure to various forms of art inspired me to expand my horizons and in the early Eighties I traveled on a summer tour to Europe. The tour comprised of six countries; Germany, Austria, France, Italy, Switzerland and England. Viewing so many different cities and cultures in a concentrated period of time...

EXHIBIT  
#51

=20

Email META DATA PAGE 3

Fraudulent Artwork

-----\_Part\_217900\_1844622739.1455981861065

Content-Type: text/html; charset=UTF-8

Content-Transfer-Encoding: quoted-printable

and links to Fraudulent Artwork

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```

Plaintiff000366B



https://apis.mail.yahoo.com/ws/v3/mailboxes/@.id==VjN-wNyUtIGq-IqyaOw0dPDGQshezn6hTEyYYbzuUfxgK-8IfPj5XrFm6kPKHxkFSkrv4QS5...

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EXHIBIT  
 #51

Plaintiffs  
 Deposition  
 Response

Email META DATA PAGE 4

Fraudulent Artwork and links to Fraudulent Artwork

Plaintiff000366C



<https://apis.mail.yahoo.com/ws/v3/mailboxes/@.id=VjN-wNyUt1Gq-IqyaOw0dPDGQshezn6hTEyYYbzuUfxgK-8lfPj5XrFm6kPKHxkFSkrv4QS5...>

#51

Email META DATA PAGE 5

## Fraudulent Artwork and links to Fraudulent Artwork

[https://apis.mail.yahoo.com/ws/v3/mailboxes/@.id==VjN-wNyUtIGq-IqyaOw0dPDGQshezn6hTEyYYbzuUfxgK-8IfPj5XrFm6kPKHxkFSkrv4QS589m2ULn4HOf3kMCF\\_g/m](https://apis.mail.yahoo.com/ws/v3/mailboxes/@.id==VjN-wNyUtIGq-IqyaOw0dPDGQshezn6hTEyYYbzuUfxgK-8IfPj5XrFm6kPKHxkFSkrv4QS589m2ULn4HOf3kMCF_g/m)



Yahoo Mail - Artist Annamarie Trombetta---Fraudulent Artwork--and links to Fraudulent Artwork

Artist Annamarie Trombetta----Fraudulent Artwork--and links to Fraudulent Artwork

From: Annamarie Trombetta (trombettaart@yahoo.com)  
To: will@worthpoint.com  
Cc: support@worthpoint.com  
Date: Saturday, February 20, 2016, 10:24 AM EST

Plaintiff's  
Deposition  
Response 1

EXHIBIT  
#51

Dear Mr. Seippel and Mr. Watkins,

Allow me to introduce myself to you Mr. Seippel. I am professional artist Annamarie Trombetta. I as well as other people found a listing for a painting entitled 1972 Original Oil Painting Man with Red Umbrella signed Annamarie Trombetta. This is not one of my paintings. There is a photo of a signature A. Trombetta with the eBay logo and Copyright symbol written "Copyrighted work licensed by Worthpoint " with your company logo in yellow next to it. This is not my signature. **Please see attachments.**

On February 3, 2016 I spoke with Mr. Gregory Watkins. Mr. Watkins also stated that you were at a conference in Las Vegas. I asked Mr. Watkins certain questions regarding the artwork falsely attributed to me. I requested that he e-mail me his answers regarding these questions that I had about this artwork on Tuesday February 3, 2016. Today is February 20, 2016 and nothing has been forwarded to me. I have contacted eBay several times prior to contacting your company.

EBay stated that they do not have the name of the seller nor the name of the buyer or the listing for this painting. Ebay expressed several times to me that I need to contact Worthpoint since the listing is on your site..

There are still listing for Worthpoint.com under my name. Under google search for the painting "1972 Original Oil Painting Man with Red Umbrella signed Annamarie Trombetta there is a link entitled **Marilyn Monroe 1988 Vintage Michael Ochs Archive and also Thomas Kinkade** . Both Worthpoint sites list 1972 Original Oil Painting Man with Red Umbrella signed Annamarie Trombetta which is why they are surfacing under my name and under 1972 Original Oil Painting Man with Red Umbrella signed Annamarie Trombetta.

When I spoke to Mr. Watkins on the phone on February 2, 2016 I asked Mr. Watkins the following questions and asked him to forward me the information which he has not done. I have contacted you in order to have these questions answered please:

- 1) HOW did your company obtained this information -listing for " 1972 Original Oil Painting Man with Red Umbrella signed Annamarie Trombetta "?
- 2) Can you forward me the name of the seller?
- 3) How long has this link been on your site?? The date of the sale is from December 1, 2012. I will assume from December 1, 2012 and Mr. Watkins agreed during our phone conversation on February 3, 2016.

Plaintiff000367



EAI000073

EXHIBIT # 52

Date: Tue, 10 Jan 2017 18:28:43 -0400  
Subject: Fwd: Your eBay item sold! 1972 Original Oil Painting Man With Umbrella Signed Annamarie Trombetta yqz (330833102936)  
From: eBay EAI <ebay@novocin.com>  
To: Norb Novocin <norb@novocin.com>, marie novocin <mombaree@gmail.com>  
Message-ID: <CALKoPL433C9xXwJ0WZpXwn-4UZVXa=hvafEWq3oDxQKfNrR2ug@mail>  
Thread-Topic: Your eBay item sold! 1972 Original Oil Painting Man With Umbrella Signed Annamarie Trombetta yqz (330833102936)  
Thread-Index: AU1pMjQwkqX6qfiN3bMXxD06g9CD6GdEPVhD  
Mime-version: 1.0  
Content-type: multipart/alternative;  
boundary="B\_3739174330\_4019078869"

> This message is in MIME format. Since your mail reader does not understand this format, some or all of this message may not be legible.

--B\_3739174330\_4019078869  
Content-type: text/plain;  
charset="UTF-8"  
Content-transfer-encoding: quoted-printable

----- Forwarded message -----

From: eBay <ebay@ebay.com>  
Date: Sat, Dec 1, 2012 at 9:54 PM  
Subject: Your eBay item sold! 1972 Original Oil Painting Man With Red Umbrella Signed Annamarie Trombetta yqz (330833102936)  
To: ebay@novocin.com

eBay sent this message to Norb & Marie Novocin (estateauctionsinc). Your registered name is included to show this message originated from Learn more.

Congratulations, your item sold!

Dear estateauctionsinc,

You did it! Your item sold. Please ship this item to the buyer after the buyer pays. As soon as your buyer pays, print your eBay shipping label. Complete one of the following:

Print a shipping label. Avoid a trip to the post office, print and pay for our label at home. Printing shipping labels on eBay also offers you reduced pricing on some shipping services, and when you print shipping labels on eBay, your tracking information is uploaded automatically.

Provide shipping and tracking information. When you upload tracking information to eBay, we'll send it to your buyer and let them know the item is on its way. This will save you time, and may result in fewer questions from



EAI000074

EXHIBIT #52

rs and higher detailed seller ratings.  
Mark your item as shipped in My eBay. Do this, and we'll let your buyer know the item is on its way. This will save you time, and may result in fewer questions from buyers and higher detailed seller ratings.  
You should always leave feedback for your buyer to encourage them to buy from you again.

1972 Original Oil Painting Man With Red Umbrella Signed Annamarie Tro  
yqz

Sale price:\$181.50

Quantity sold:1

Sale date:Dec-01-12 18:54:01 PST

Buyer:nina correia

9naclock (ninascorreia@aol.com) [contact buyer]

Buyer's shipping address:

nina correia

14215 prairie flower ct

reno, NV 89511-6710 United States

Sell another Item | Send invoice to buyer

Provide shipping information

Select your email preferences

Want to reduce your inbox email volume? Receive this email as a daily digest.

For other email digest options, go to Notification Preferences in My eBay.

Don't want to receive this email? Unsubscribe from this email.

Email reference id: [#45d0df16f2ea40759d3656f834970b06#]

Please don't remove this number. eBay customer support may ask you for this number, if you should need assistance.

Learn More to protect yourself from spoof (fake) emails.

eBay sent this email to you at ebay@novocin.com about your account reactivation on www.ebay.com.

eBay sends these emails based on the preferences you set for your account. To unsubscribe from this email, change your communication preferences. Please note that it may take up to 10 days to process your request. Visit our Privacy Policy and User Agreement if you have any questions.

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cut  
off



EAI000075

EXHIBIT #52

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br>To: <a href=3D"mailto:ebay@novocin.com">ebay@novocin.com</a><br><b
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Marie Novocin (estateauctionsinc).</b><br></span><span style=3D"font-
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balAssets/rtCurve.gif" height=3D"8" width=3D"8"></td></tr><tr><td sty
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><div id=3D"m_3729392004584666707SingleItemCTA"><div><table border=3D
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10pt;font-family:arial,sans-serif;color:#000">Dear estateauctionsinc,
border=3D"0" cellpadding=3D"0" cellspacing=3D"0" width=3D"100%"><tbo
src=3D"http://q.ebaystatic.com/aw/pics/s.gif" height=3D"10" alt=3D"
tbody></table>You did it! Your item sold. Please ship this item to th
after your buyer pays. As soon as your buyer pays, print your eBay s
label.<table border=3D"0" cellpadding=3D"0" cellspacing=3D"0" width=
><tr><td><img src=3D"http://q.ebaystatic.com/aw/pics/s.gif" height=3D
"></td></tr></tbody></table><div>Complete one of the following:<br><u
=3D"list-style-type:disc;margin:10px 10 10 14px"><li><a href=3D"http:
y.com/rover/0/e12011.m354.l1337/7?euid=3D45d0df16f2ea40759d3656f83497

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Exhibit #52

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 nsactionid%3D0%26itemid%3D330833102936%26ssPageName%3DADME%3AL%3AE0IS  
 %3A1337" target=3D"\_blank">Print a shipping label</a> Avoid a trip to  
 office, print and pay for your label at home. Printing shipping labe  
 Bay also offers you reduced pricing on some shipping services, and wh  
 print shipping labels on eBay, your tracking information is uploaded  
 ically.</li><li><a href=3D"http://rover.ebay.com/rover/0/e12011.m354.  
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 2Fws%2FeBayISAPI.dll%3FAddTrackingNumber%26flow%3Dmyebay%26LineID%3D  
 02936\_0%26ssPageName%3DADME%3AL%3AE0ISSA%3AUS%3A1663" target=3D"\_blan  
 e shipping and tracking information</a>. When you upload tracking inf  
 n to eBay, we'll send it to your buyer and let them know the item is  
 way. This will save you time, and may result in fewer questions from  
 and higher detailed seller ratings.</li><li><a href=3D"http://rover.e  
 over/0/e12011.m354.l1662/7?euid=3D45d0df16f2ea40759d3656f834970b06&am  
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 ayNextSold%26ssPageName%3DADME%3AL%3AE0ISSA%3AUS%3A1662" target=3D"\_b  
 k your item as shipped in My eBay</a>. Do this, and we'll let your bu  
 w the item is on its way. This will save you time, and may result in  
 uestions from buyers and higher detailed seller ratings.</li></ul>You  
 always <a href=3D"http://rover.ebay.com/rover/0/e12011.m354.l1332/7?  
 df16f2ea40759d3656f834970b06&loc=3Dhttp%3A%2F%2Ffeedback.ebay.com  
 BayISAPI.dll%3FLeaveFeedback%26show\_as%3Dsold%26ssPageName%3DADME%3A  
 SSA%3AUS%3A1332" target=3D"\_blank">leave feedback</a> for your buyer  
 age them to buy from you again.<br><br></div></font><div><table width  
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 baystatic.com/pict/330833102936.jpg" alt=3D"1972 Original Oil Paintin  
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 Fws%2FeBayISAPI.dll%3FViewItem%26item%3D330833102936%26ssPageName%3DA  
 %3AE0ISSA%3AUS%3A1123" target=3D"\_blank">1972 Original Oil Painting M  
 ed Umbrella Signed Annamarie Trombetta yqz</a></td></tr><tr><td style  
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 ign=3D"top"><font style=3D"font-weight:bold;font-size:10pt;font-famil  
 s-serif;color:#000">Sale price:</font></td><td style=3D"font-size:10p  
 mily:arial,sans-serif;color:#000" valign=3D"top"><font style=3D"font-  
 ;font-size:10pt;font-family:arial,sans-serif;color:#000">\$181.50</fon  
 </tr><tr><td style=3D"font-size:10pt;font-family:arial,sans-serif;col  
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EXHIBIT #52

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r><td style=3D"font-size:10pt;font-family:arial,sans-serif;color:#000
15%" nowrap=3D"" valign=3D"top">Buyer:</td><td style=3D"font-size:10p
:arial,sans-serif;color:#000" valign=3D"top">nina correia</td></tr><t
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:ninascorreia@aol.com" target=3D"_blank">ninascorreia@aol.com</a>) [<
ttp://contact.ebay.com/ws/eBayISAPI.dll?ReturnUserEmail&amp;requested
ck&amp;redirect=3D0&amp;iid=3D330833102936" target=3D"_blank">contact
font></td></tr></tbody></table></div></td></tr><tr><td style=3D"font-
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rif;color:#000" valign=3D"top" class=3D"m_3729392004584666707noWrap"
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4215 prairie flower ct</td></tr><tr><td style=3D"font-size:10pt;font-
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%2Fws%2FeBayISAPI.dll%3FSellHub%26ssPageName%3DADME%3AL%3AE0ISSA%3AU
1" target=3D"_blank">Sell another Item</a> | <a href=3D"http://rover.
ver/0/e12011.m43.l1156/7?euid=3D45d0df16f2ea40759d3656f834970b06&amp;
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DME%3AL%3AE0ISSA%3AUS%3A1156" target=3D"_blank">Send invoice to buyer
t></td></tr></tbody></table></td></tr></tbody></table></div></td><td
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EXHIBIT #52

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ct your email preferences</h3><div class=3D"m_3729392004584666707cub-
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eceive this email as a daily digest</a>.</span><br><span>For other em
est options, go to <a href=3D"http://my.ebay.com/ws/eBayISAPI.dll?MyE
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on Preferences</a> in My eBay.</span><br></span></li><li><span class=
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tp://my.ebay.com/ws/eBayISAPI.dll?EmailUnsubscribe&amp;emailType=3D12
et=3D"_blank">Unsubscribe from this email</a>.</span><br></span></li>
v></div></div></div><div id=3D"m_3729392004584666707MarketPlaceSafety
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number, if you should need assistance.</font></td></tr></tbody></tab
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om spoof (fake) emails.<br><br>eBay sent this email to you at <a href=
o:ebay@novocin.com" target=3D"_blank">ebay@novocin.com</a> about your
registered on <a href=3D"http://www.ebay.com" target=3D"_blank">www.e
.<br><br>eBay sends these emails based on the preferences you set for
ccount. To unsubscribe from this email, change your <a href=3D"http:/
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ences" target=3D"_blank">communication preferences</a>. Please note t
y take up to 10 days to process your request. Visit our <a href=3D"ht
s.ebay.com/help/policies/privacy-policy.html" target=3D"_blank">Priva
</a> and <a href=3D"http://pages.ebay.com/help/policies/user-agreemen
arget=3D"_blank">User Agreement</a> if you have any questions.<br><br>
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e the property of their respective owners. eBay and the eBay logo are
arks of eBay Inc. eBay Inc. is located at 2145 Hamilton Avenue, San J
95125. </font></td></tr></tbody></table><img src=3D"http://rover.eba
eropen/0/e12011/7?euclid=3D45d0df16f2ea40759d3656f834970b06" height=3D"
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EXHIBIT  
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